

UNITED STATES DISTRICT COURT

JUDICIAL

District of

PUERTO RICO

UNITED STATES OF AMERICA
V.

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Probation or Supervised Release)

3:99-CR-309-004 (PG)

3:99-CR-385-002 (PG)

CARLOS RODRIGUEZ-MORALES

Case Number:

USM Number:

19228-069

AFPD- YASMIN IRIZARRY, ESQ.

Defendant's Attorney

THE DEFENDANT:

☒ admitted guilt to violation of condition(s) Standard Conditions 2,3,6,7 of the term of supervision.☐ was found in violation of condition(s) _____ after denial of guilt.

The defendant is adjudicated guilty of these violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Ended</u>
Standard Condition # 2	Failing to submit his monthly supervision reports as required.	6/13/08
Standard Condition # 3	Failing to comply with drug testing as instructed by the U.S. Probation Officer.	6/13/08
Standard Condition # 6	Failing to notify a change of address as required.	6/13/08
Standard Condition # 7	Failing to refrain from excessive use of alcohol and any unlawful use of a controlled substance.	6/13/08

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has not violated condition(s) _____ and is discharged as to such violation(s) condition.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

June 13, 2008

Date of Imposition of Judgment

s/Juan M. Perez-Gimenez, U.S. Senior Judge

Signature of Judge

Juan M. Perez-Gimenez, U.S. Senior Judge

Name and Title of Judge

June 13, 2008

Date

DEFENDANT: CARLOS RODRIGUEZ-MORALES
CASE NUMBER: 3:99-CR-309-004 (PG) / 3:99-CR-385-002 (PG)

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: **Eight (8) hours of imprisonment at the U.S. Marshal's holding cell.**

The court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____.

☐ as notified by the United States Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on or before June 19, 2008.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

a _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: CARLOS RODRIGUEZ-MORALES
CASE NUMBER: 3:99-CR-309-004 (PG) / 3:99-CR-385-002 (PG)

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **Twelve (12) months. Said term to be served under the following terms and conditions:**

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime, and shall observe the standard conditions of release recommended by the U.S. Sentencing Commission and adopted by this Court .

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to a drug test within 15 days of release ; thereafter, submit to random drug testing, not to exceed 104 samples per year in accordance with the Drug Aftercare Program Policy of the U.S. Probation Office approved by this Court . If any such sample detect substance abuse, the defendant shall participate in a drug treatment program (in-patient or out-patient) in accordance with such policy . The defendant is required to contribute to the cost of service rendered (co-payment) based on the ability to pay or availability of third party payment, as approved by the court .

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is be a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: CARLOS RODRIGUEZ-MORALES
CASE NUMBER: 3:99-CR-309-004 (PG) / 3:99-CR-385-002 (PG)

ADDITIONAL SUPERVISED RELEASE TERMS

THE DEFENDANT SHALL PARTICIPATE IN THE PHASE I OF THE RANDOM DRUG TESTING PROGRAM FOR THE FIRST THREE MONTHS OF SUPERVISION. AFTER SUCCESSFUL COMPLETION OF THIS PHASE, THE DEFENDANT WILL BE SUBJECT TO RANDOM DRUG TESTING BY THE U.S. PROBATION OFFICER IN ACCORDANCE WITH THE DRUG TESTING POLICY APPROVED BY THIS COURT. FAILURE TO APPEAR FOR DRUG TESTING WITHOUT A VERIFIABLE MEDICAL EMERGENCY EXCUSE, WILL BE GROUNDS FOR REVOCATION PROCEEDINGS TO BE NOTIFIED BY THE U.S. PROBATION OFFICER IMMEDIATELY.

IF ILLEGAL DRUG USE IS DETECTED BY DRUG TESTING AND/OR THE DEFENDANT'S OWN ADMISSION, HE SHALL PARTICIPATE IN DRUG TREATMENT AND SHALL CONTRIBUTE TO THE COST OF THE SAME BASED ON HIS ABILITY TO PAY.

THE DEFENDANT SHALL NOT ENGAGE IN ANY TYPE OF GAMBLING.

THE DEFENDANT SHALL SUBMIT TO A COMPLETE PSYCHOLOGICAL EVALUATION TO SPECIFICALLY ADDRESS RISK OF DOMESTIC AND/OR ANY OTHER TYPE OF VIOLENCE, TO OBTAIN A CURRENT STATUS OF HIS GAMBLING ADDICTION, AND WHAT TYPE OF TREATMENT WILL BE MOST BENEFICIAL, IF ANY.

THE DEFENDANT SHALL SUBMIT HIS PERSON, RESIDENCE, OFFICE OR VEHICLE TO A SEARCH, CONDUCTED BY A UNITED STATES PROBATION OFFICER AT A REASONABLE TIME AND IN A REASONABLE MANNER, BASED UPON REASONABLE SUSPICION OF CONTRABAND OR EVIDENCE OF A VIOLATION OF A CONDITION OF RELEASE; FAILURE TO SUBMIT TO A SEARCH MAY BE GROUNDS FOR REVOCATION, THE DEFENDANT SHALL WARN ANY OTHER RESIDENTS THAT THE PREMISES MAY BE SUBJECT TO SEARCHES PURSUANT TO THIS CONDITION.

THE DEFENDANT SHALL PERFORM FIFTY (50) HOURS OF UNPAID COMMUNITY SERVICE WORK AT A PRIVATE NON-PROFIT OR PUBLIC FACILITY TO BE SELECTED AND UNDER SUCH ARRANGEMENTS, AS THE PROBATION OFFICER OF THE COURT MAY DETERMINE OR APPROVE.